

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

JIMMIE EMERY : CIVIL ACTION NO.: 6:20-cv-00671  
VERSUS : JUDGE: SUMMERHAYS  
OPELOUSAS HOUSING AUTHORITY : MAGISTRATE: WHITEHURST

DEFENDANT’S STATEMENT OF  
MATERIAL FACTS AS TO WHICH THERE  
IS NO GENUINE ISSUE TO BE TRIED

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**DEFENDANT’S STATEMENT OF MATERIAL FACTS AS TO WHICH  
THERE IS NO GENUINE ISSUE TO BE TRIED**

**NOW INTO COURT**, through undersigned counsel, comes the **HOUSING AUTHORITY FOR THE CITY OF OPELOUSAS** (“Mover and/or “OHA”), who, in compliance with Rule 56.1 of the Uniform Local Rules for the District Court, and for the purposes of this motion, sets forth their Statement of Material Facts as to Which there is No Genuine Issue to be Tried, to-wit:

1. On June 17, 2020, Toya Cenise served as the Administrator for the Housing Authority for the City of Opelousas (OHA).<sup>1</sup>
2. Petitioner Jimmie Emery (“Emery”) was hired as an Inspector 2 on June 17, 2020.<sup>2</sup>
3. Emery’s employment with OHA was probationary.<sup>3</sup>
4. Emery was required to undergo a physical evaluation during his probationary period.<sup>4</sup>
5. Emery was examined/evaluated by Dr. Michael Basile at the Family Medical Clinic in Opelousas, Louisiana.<sup>5</sup>

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<sup>1</sup> Exhibit F (1).

<sup>2</sup> Exhibit F (2).

<sup>3</sup> Exhibit F (4).

<sup>4</sup> Exhibit A; pgs. 28-29; 30, lines 25-12; 1-5

<sup>5</sup> Exhibit D.

6. Dr. Basile recommended Emery not be hired by the OHA.<sup>6</sup>
7. Based on Dr. Basile's recommendation, Emery was terminated from his employ with OHA effective June 28, 2019.<sup>7</sup>

Respectfully submitted,

**The Dill Firm, A.P.L.C.**

BY: /s/ Michael Wynne  
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AUTHORITY

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this 20<sup>th</sup> day of August 2021, a copy of the foregoing pleading was filed electronically with the Clerk of Court using CM/ECF system. Notice of this filing will be sent to counsel for all parties to this proceeding by operation of the court's electronic filing system.

/s/ Michael Wynne  
K. WADE TRAHAN

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<sup>6</sup> Exhibit D.

<sup>7</sup> Exhibit C.